

VZCZCXYZ0002
PP RUEHWEB

DE RUEHTC #0286/01 1261151
ZNY SSSSS ZZH
P 061151Z MAY 09
FM AMEMBASSY THE HAGUE
TO RUEHC/SECSTATE WASHDC PRIORITY 2802
INFO RUEHGB/AMEMBASSY BAGHDAD PRIORITY 0137
RUEHLO/AMEMBASSY LONDON PRIORITY 1837
RUEAIIA/CIA WASHDC PRIORITY
RUCPDO/DEPT OF COMMERCE WASHDC PRIORITY
RHEBAAA/DEPT OF ENERGY WASHDC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY
RHMFISS/DTRA ALEX WASHINGTON DC//OSAC PRIORITY

S E C R E T THE HAGUE 000286

SENSITIVE
SIPDIS

STATE FOR ISN/CB, VCI/CCA, L/NPV (BROWN),
SECDEF FOR OSD/GSA/CN,CP>
SECDEF FOR OSD/GC (WAGER)
JOINT STAFF FOR DD PMA-A FOR WTC
NSC FOR LUTES
WINPAC FOR WALTER

E.O. 12958: DECL: 03/10/2019
TAGS: [PARM](#) [PREL](#) [CWC](#)
SUBJECT: CWC: MEETINGS ON IRAQ ON THE MARGINS OF EC-56

Classified By: Janet E. Beik for reasons 1.4 (B) and (D)

(U) This is CWC-24-09

SUMMARY

¶1. (SBU) Having submitted its initial declaration in March, Iraq made its debut as a "possessor state" at Executive Council (EC)-56. U.S. representatives in Washington, Baghdad and The Hague worked closely with counterparts to set up a series of preparatory meetings with Iraq, the UK, and members of the Technical Secretariat. Preparatory work paid off, and Iraq's first briefing at the destruction informals was detailed, transparent, and spoke clearly to the unique challenges Iraq faces in securing, assessing, and destroying its chemical weapons. While much work remains to be done on plans for destruction, establishing deadlines, and preparing for inspections, Iraq's first real interaction with the Council set a positive standard for transparency. The series of meetings were also a useful opportunity for U.S. and Iraqi counterparts to discuss possibilities for future assistance from the U.S., and the need for formal requests.

¶2. (SBU) Iraq's presentation and the U.S. and UK statements during the destruction informals are reported by Septel.

INTRODUCTORY MEETING WITH THE U.S., UK AND IRAQ

¶3. (SBU) On April 16, U.S. Delreps held an initial meeting with UK reps Clive Rowland, Jim McGilly, and Chris McCormack. Participants briefly discussed the current state of Iraq's preparations for the upcoming Executive Council session and outlined a program of work for the coming days. The delegations were then joined by Dr. Mohammed

Jawad Al Sharaa (Director General of the Iraqi National Monitoring Directorate), Mr. Abbas Fadhil Al-Khafaji (First Secretary, Embassy of Iraq in The Hague), and Dr. Abbas Kadhom Obaid Abbas (First Secretary of the Iraqi Mission in Geneva).

¶4. (C) Al Sharaa explained that the remaining members of the delegation from Baghdad had obtained visas and would be arriving shortly. He then noted that Iraq had updated its presentation for the destruction informals (April 20) with additional photos of the storage bunkers and comments on Iraq's readiness to meet its CWC obligations. Among these comments was the fact that Iraq is not yet fully capable of identifying, securing, and destroying recovered CW munitions and will not be until the U.S. has completed training of Iraqi Explosive Ordnance Demolition (EOD) personnel, expected in 2010. Al Sharaa also highlighted the fact that Iraq does not know how to characterize or destroy what remains in the bunkers at Muthanna and that he hoped U.S. forces would be able to provide security in the area, and possibly for inspections. Finally, he stated that Iraq would recommend against the Secretariat conducting initial inspections in 2009, citing expected instability surrounding elections later this year.

¶5. (SBU) U.S. Delrep thanked Dr. Al Sharaa for the update, and indicated that while the Iraq's presentation provided an effective overview of the historical aspects of Iraq's CW program, it still needed to acknowledge the work that lay ahead in terms of destroying remaining CW and former CW production facilities. Delrep also emphasized the importance of Iraq clearly explaining the unique security and technical challenges it faces, and their possible impact on verification activities. Al Sharaa made several references to the hundreds of UNSCOM destruction certificates Iraq has on file. Delreps explained that this did not necessarily equate to destruction in accordance with the terms of the CWC.

¶6. (C) Iraqi authorities were receptive to revisions suggested by the U.S. and UK, but expressed concern that they would be unable to develop a General Plan for Destruction without further information, such as the contents of the Al Muthanna bunkers and the additional measures required for complete destruction of the former CW production facilities. Al Sharaa stated the Iraq would likely require U.S. assistance; U.S. Delreps emphasized the importance of formal requests for assistance.

¶7. (C) U.S. and UK reps reminded the Iraqi delegation of plans to make brief statements on recovered items during the destruction informals. In a remark that seemed out of place, but could indicate an unexpected familiarity with recent legal discussions with the Secretariat, Al Sharaa clearly stated that it would not be acceptable to submit U.S. and UK information as supplements to Iraq's declaration, nor would Iraq be able to accept reporting on future recoveries from U.S. forces.

¶8. (C) Delegations also discussed possible questions that could arise following presentations by Iraq, the U.S., and the UK. The U.S. and UK recommended Iraq only answer questions that clearly fell within the purview of the Convention. Delegations agreed to meet the following morning with the Secretariat and to follow up as needed over the weekend.

MEETINGS WITH THE TECHNICAL SECRETARIAT

¶9. (S) On April 17, at the request of the Secretariat, the U.S. and UK delegations met prior to the meeting with Iraq to continue preparations for the EC. TS participants included Dominique Anelli (Head, Chemical Demilitarization Branch), Ichiro Akiyama (Director, Inspectorate Division), Stephen Wade (Head, Declarations Branch), Donata Rogarabamu (Senior Legal Officer), and other officials from the Verification division. The purpose of this pre-meeting turned out to be a continuing effort on the part of the Secretariat to get the U.S. to revise its submission on rounds recovered in Iraq. TS officials stated that the more informal route the UK had chosen presented minimal legal and administrative difficulties, and did not seem to have concerns with the UK's declaration of Schedule 1 samples sent back to the UK for analysis.

¶10. (C) The legal officer noted that it was difficult to determine which provisions of the Convention applied in the case of the recoveries, and reiterated that the U.S. submission of the information as a formal declaration raised a number of questions. She suggested that one possible reference could be paragraph 1 of Article IX, but that a more plausible basis could be UN Security Council Resolution 5223. U.S. Delrep replied that Washington was considering the matter and that the U.S. would inform the TS immediately of any possible changes.

¶11. (SBU) The meeting then shifted to a working session with the Iraqi delegation to further refine Iraq's presentation for the destruction informals. In addition to Iraqi officials present at meetings on April 16, the Iraqi delegation included Brigadier General Ali Kadhim Mohaisen al-Saeedi (Head of the Iraqi Army Chemical School) and Mr. Hussein Shamki Jabor (Ministry of Industry). Participants reviewed Iraq's slides and suggested a number of revisions to improve the clarity and accuracy of the presentation. Throughout the presentation, Iraqi officials clearly wanted to emphasize that any CW being discussed was a product of the previous regime.

FOLLOW-UP WITH IRAQI DELEGATION

¶12. (SBU) On April 18, the U.S. Del hosted a follow-up meeting with Iraq to gauge progress on Iraq's presentation and plan for destruction. In addition to participants in previous meetings, the Iraqi delegation included Mr. Mohanad Talib Kareem Al-Hilli, the only Iraqi who has participated in all preparatory meetings held in Amman, Jordan. Al-Hilli reported that he had just arrived from Istanbul, where he had participated in the OPCW's workshop on Universality, and noted that the Director General had inquired about the conditions of the bunkers at Al Muthanna.

¶13. (C) Delreps informed Iraqi officials of the U.S. decision to retract its declaration on recovered rounds and submit in its place a letter to the Director General that would be available to State Parties upon request. The Iraqi delegation had no comments. U.S. Delreps reminded Iraqi officials of the need to establish a process for reporting future U.S. recoveries to Iraq's National Authority. To this end, Delreps recommended Iraqi

officials meet with senior Defense Department counterparts on the margins of the EC.

¶14. (C) Delreps inquired as to why Iraq had not declared bunkers 13 and 41 at Al Muthanna as CW storage facilities. Al Sharaa explained that Iraq had been reluctant to do so, as the majority of the complex had only been used for the storage of conventional weapons. Delreps informed Al Sharaa that Iraq could limit the boundaries of the declared storage facility to the area immediately surrounding the two bunkers, which would thereby limit the inspectable area. Al Sharaa agreed to discuss this further with the Secretariat. He also noted that Iraq was considering whether to destroy or convert the two working laboratory buildings at the Al Rashad former chemical weapons production facility.

¶15. (SBU) The Iraqi delegation stated that Iraq had, with TS assistance, drafted a General Plan for Chemical Weapons Destruction and provided a copy of the draft to the U.S. Al Sharaa added that U.S. suggestions for revisions to the informals presentation had been incorporated, although an updated draft was not available for review. Updated draft was not available for review.

¶16. (SBU) The delegations discussed the security situation in Iraq and U.S. reps reiterated the importance of clearly explaining this to States Parties. Al Sharaa said that the situation has improved since the last round of discussions in Amman, and expressed hope that the U.S. Army might provide security for verification activities. U.S. reps reminded him of the need for a formal request for any form of assistance. Al Sharaa asked what level request would be most appropriate. He also noted that the Director General had indicated to him that he may send a small team from the Secretariat to Iraq in the near future to assess the situation. Delegations also discussed the need for additional U.S. training of Iraq counterparts; U.S. reps stated that the U.S. was willing to provide training that would build on the initial session held in Baghdad in December 2008. However, the U.S. requested that, in addition to a formal request, Iraq should submit a paper outlining its own priorities so the U.S. could better structure future assistance efforts.

¶17. (SBU) In closing, the U.S. provided an informal list of questions and answers that Iraq might consider in preparation for the upcoming EC.

MEETING WITH OSD POLICY OFFICE DIRECTOR GROSS AND
IRAQI OFFICIALS

¶18. (SBU) On April 20, Laura Gross (Office Director, Combating WMD Policy, OSD Policy) and Delreps met with the Iraqi delegation to discuss future requests for assistance. Iraqi attendees included Mohammed Jawad Al Sharaa; Abbas Kadhomi Obaid Abbas, Abbas fadhil Al-Khafaji, and General Ali Khadem Mehseen.

¶19. (SBU) During the meeting between US and Iraqi officials, the United States offered assistance to Iraq for CWC implementation, and noted that members of Congress had been briefed on CW destruction in Iraq and had indicated they would be supportive. Gross noted that the U.S. requires a formal letter of request for assistance and provided the Iraqi delegation with a sample letter that had been used for previous requests.

¶20. (SBU) Iraq expressed appreciation for U.S. assistance and stressed the need for technical assistance. The Iraqi delegation noted that several countries had engaged Iraq on possible assistance, but stated that Iraq preferred to work with the U.S. as "no MOU would be needed" and the United States was already very familiar in working with their government. The Iraqi delegation also indicated that it would be preferable to hold workshops in Iraq. The U.S. stressed the importance of Iraq working closely with the Technical Secretariat, as Secretariat officials had significant expertise and could provide assistance.

¶21. (SBU) The U.S. delegation asked for Iraq's assessment of the current on-going cooperation between MNFI and the Iraqi MOD in developing the Chemical School. Iraqi officials indicated that they were very pleased with the level of coordination.

U.S./IRAQI DISCUSSIONS ON REPORTING FUTURE CW
RECOVERIES

¶22. (SBU) On April 22, EC Representative Dr. Robert Q22. (SBU) On April 22, EC Representative Dr. Robert Mikulak and Delreps met with Dr. Al Sharaa, General Ali, and other Iraqi reps to discuss how to provide information to the Government of Iraq on future recoveries of chemical munitions made by U.S. Forces in Iraq. Al Sharaa stated that he would prefer that the Iraqi National Authority receive the information from the Iraqi Ministry of Defense. DoD Reps explained briefly how information on recoveries is reported by U.S. Forces in Iraq to concerned DoD entities and the U.S. National Authority. They articulated the importance of this review chain to ensure that all recoveries are evaluated by CWC treaty experts and properly reported. Additionally, they explained the need to provide GOI with information for both the quarterly reports and the F38 notifications.

¶23. (SBU) To facilitate Al Sharaa's request, both sides agreed that a point of contact in the Iraqi Ministry of Defense should be identified and the U.S. Department of Defense will transmit all necessary information to the MOD so that Iraq can produce the F38 notification and quarterly reports. Concurrently, the information will also be sent to the U.S. National Authority and the U.S. Delegation for situational awareness and to field questions, should any arise. Al Sharaa stated that he would like the information only and not draft notifications because he would like the GOI to produce these forms. General Ali added that he has a good working relationship with MNF-I and the U.S. Department of Defense and that he is confident that an arrangement can be set up between the two Defense ministries to transmit the data.

¶24. (SBU) General Ali and Dr. Sharaa also expressed an interest in additional training on the CWC as the National Authority and the Iraqi Chemical Company are stood up and more functional, as well as assistance in meeting CWC treaty obligations. General Ali specifically mentioned the need for training on detection of chemical munitions so that the Chemical Company can be operational by the 2010 transition date. DOD Rep reiterated, and both officials acknowledged, that any request should come in writing to facilitate and expedite future assistance.

¶25. (U) BEIK SENDS.
GALLAGHER